

Introduced by Senator Hernandez

February 18, 2011

An act to amend Section 3040 of the Business and Professions Code, relating to optometry.

LEGISLATIVE COUNSEL'S DIGEST

SB 920, as introduced, Hernandez. Optometry.

Existing law, the Optometry Practice Act, provides for the licensure and regulation of optometrists by the State Board of Optometry. Existing law prohibits a person from engaging in the practice of optometry, or taking other specified actions, without obtaining a certificate of registration from the board, and provides that the use of certain items is prima facie evidence of the practice of optometry.

This bill would make nonsubstantive, technical changes to those provisions.

Vote: majority. Appropriation: no. Fiscal committee: no.
State-mandated local program: no.

The people of the State of California do enact as follows:

- 1 SECTION 1. Section 3040 of the Business and Professions
- 2 Code is amended to read:
- 3 3040. (a) It is unlawful for a person to engage in the practice
- 4 of optometry or to display a sign or in any other way to advertise
- 5 or hold himself or herself out as an optometrist without having
- 6 first obtained a certificate of registration from the board under the
- 7 provisions of this chapter or under the provisions of any former
- 8 act relating to the practice of optometry. The practice of optometry

- 1 includes the performing or controlling of any acts set forth in
2 Section 3041.
3 ~~In~~
4 (b) *In* any prosecution for a violation of ~~this section~~ *subdivision*
5 (a), the use of test cards, test lenses, or of trial frames is prima
6 facie evidence of the practice of optometry.